

House File 88

HOUSE FILE _____
BY R. OLSON

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act providing for the reinstatement of a person's driver's
2 license or nonresident operating privilege relating to an
3 operating=while=intoxicated offense not resulting in a
4 conviction or deferred judgment.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
6 TLSB 1569HH 82
7 rh/gg/14

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1 1 Section 1. NEW SECTION. 321J.2C DISMISSAL OF
1 2 PROSECUTION.
1 3 1. Notwithstanding any other provision of this chapter to
1 4 the contrary, if a violation of section 321J.2 or 321J.2A does
1 5 not result in a conviction or deferred judgment, and the
1 6 person's driver's license or nonresident operating privilege
1 7 has been revoked under section 321J.9 or 321J.12 or the
1 8 revocation has been stayed pursuant to section 321J.13 for the
1 9 occurrence from which the arrest arose, the department shall,
1 10 upon receipt of the court order finding the person not guilty
1 11 or otherwise dismissing the prosecution, immediately rescind
1 12 the revocation and reinstate the person's driver's license or
1 13 nonresident operating privilege.
1 14 2. Notwithstanding any other provision of this chapter or
1 15 chapter 321 to the contrary, if a person's driver's license or
1 16 nonresident operating privilege is reinstated pursuant to
1 17 subsection 1 the director shall immediately correct by
1 18 removing from the person's driving record any entry pertaining
1 19 to a revocation under section 321J.9 or 321J.12 for the same
1 20 occurrence from which the arrest arose.

EXPLANATION

1 22 This bill relates to reinstatement of a person's driver's
1 23 license or nonresident operating privilege following a
1 24 prosecution for an operating=while=intoxicated offense which
1 25 does not result in a conviction or a deferred judgment.
1 26 The bill provides that in any prosecution for an operating=
1 27 while=intoxicated offense that does not result in a conviction
1 28 or a deferred judgment where the person's driver's license or
1 29 nonresident operating privilege was revoked, the department of
1 30 transportation shall, upon receipt of the court order finding
1 31 the person not guilty or otherwise dismissing the prosecution,
1 32 immediately rescind the revocation and reinstate the person's
1 33 driver's license or nonresident operating privilege.
1 34 The bill further directs the director of the department of
1 35 transportation to immediately correct by removing from the
2 1 person's driving record any entry pertaining to the person's
2 2 rescinded revocation.
2 3 LSB 1569HH 82
2 4 rh:rj/gg/14